WORLDCOM

March 27, 2003

Donna Sorgi, Vice President
Federal Advocacy
WorldCom
1133 19th Street, N.W.
Washington, D.C. 20036

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**Re: EX PARTE**

***In the Matter of Qwest Communications International, Inc. Application for Authority to Provide In-Region, InterLATA Services in New Mexico, Oregon, and South Dakota;* WC Docket No. 03-11**

Dear Ms. Dortch:

Yesterday Sherry Lichtenberg, Lori Wright, and I of WorldCom, and Marc Goldman of Jenner & Block met with Bill Maher, Chief of the Wireline Competition Bureau, and the following members of his staff to discuss Qwest's pending section 271 application: Rich Lerner, Carol Mattey, Bill Dever, Kim Cook, and Jeff Tignor.

We urged the Commission to reject Qwest's pending three-state application. We explained that Qwest's operations support systems (OSS) and documentation are so poor that they are making it impossible for mass markets competition to develop in the Qwest region. WorldCom is the only competitor offering mass-market residential service in the Qwest region, and WorldCom has now been forced to stop outbound telemarketing in the Qwest region. (Earlier this year WorldCom had to shut down its systems altogether and postpone outbound telemarketing.) These are the first two times in <u>any</u> region where WorldCom has been forced to either postpone or stop outbound telemarketing as the result of the poor quality of an ILEC's OSS. Doing so imposes severe costs in terms of both lost sales and the resources already spent staffing our telemarketing centers to make outbound calls.

But WorldCom had little choice. More than 78 percent of WorldCom's orders were rejecting as of the end of last week. This reject level is astounding.

The reject rate not only has led WorldCom to stop outbound telemarketing, it has also forced WorldCom to adopt a new customer communications strategy whereby it transmits "jeopardy postcards" to customers whose orders have not been provisioned on Day 15. WorldCom then leaves a recorded message between Days 20-27 again apologizing for failure to provision the order. On Day 40, a WorldCom representative calls the customer to explain the delay and to attempt to keep the customer from abandoning WorldCom. On Day 60, if still not provisioned, the customer's order will be canceled and we send a letter explaining that the customer cannot be provisioned at this time. This is no way to run a business.

This high reject rate in the Qwest region is due to a combination of Qwest's overly complex and non-standard OSS and the poor quality of Qwest's documentation and technical assistance, as explained in detail in our *ex parte* letter filed on March 24, 2003 and in our Comments and Reply Comments. While the Commission concluded in response to Qwest's prior section 271 application that Qwest's complex OSS was not *per se* a reason to conclude that OSS was inadequate, such complex OSS puts a special burden on Qwest to explain to CLECs how to develop their interfaces. But in the critical areas in which Qwest's OSS is especially complex, Qwest's documentation is either wrong, incomplete, or inconsistent. WorldCom has described a multitude of key documentation deficiencies. And Qwest has not even attempted to refute WorldCom's claims by pointing out where in its documentation it has provided the necessary information. Instead, Qwest has attempted to evade responsibility by arguing that other CLECs have developed EDI interfaces and that Hewlett Packard did so during testing.[1] But no other CLEC in the Qwest region has developed an EDI interface to submit mass markets orders for UNE-P. And the fact is that Qwest simply cannot deny that it has failed, for example, to provide CLECs the list of class-of-service Universal Service Order Codes they need to order service.

When the Commission last considered Qwest's OSS in the context of its nine-state application approved in December 2002, WorldCom did not yet have sufficient commercial volumes of customers to provide persuasive evidence of the specific documentation and systems deficiencies and their impact on tens of thousands of production orders. When WorldCom attempted to increase our volumes in January 2003, the impact of those deficiencies became clear. Indeed, it is clear that those deficiencies are so severe region-wide in Qwest territory that a section 271(d)(6) complaint asking that Qwest's long distance authority be revoked in those states where it has already received approval may well be required.

[1] In a recent *ex parte,* Qwest also attempts to blame WorldCom for not adequately testing prior to production. This is a mark of desperation since Qwest itself certified that WorldCom's testing was sufficient and was complete. *See attached.* In any event, Qwest's argument regarding testing says nothing about whether its documentation was accurate or whether its systems were functioning as they should.

The Commission should reject this application. If it does, WorldCom hopes that the rejection will provide Qwest with sufficient incentive to ensure that it fixes its OSS problems in the very near future. Most of the problems can be easily fixed. But Qwest must fix them before gaining section 271 authority in additional states. Otherwise, Qwest will have long distance authority in almost its entire region while competitors are effectively precluded from competing in the local markets. That is exactly what section 271 was intended to prevent.

Please call me at (202) 887-3351 with any questions about this matter.

Sincerely,
/s/
Donna Sorgi

cc: Bill Maher
Christopher Libertelli
Lisa Zaina
Matthew Brill
Dan Gonzalez
Jessica Rosenworcel
Emily Willeford
Rich Lerner
Carol Mattey
Bill Dever
Kim Cook
Jeff Tignor

attachment